

IN THE DRAWINGS

It is unclear as to whether previously submitted Fig. 8A, submitted with the Amendment filed on Aug. 14, 2008, has been entered. Applicants request that previously submitted Fig. 8A be canceled from the application.

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 11 and 24 are pending in the present application, Claims 11 and 24 having been amended, and Claims 14, 15, 17, and 18 having been canceled without prejudice or disclaimer. Support for the amendments to Claims 11 and 24 is found, for example, in Fig. 6 and its corresponding description in the specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, the drawings were objected to; Claim 17 was rejected under 35 U.S.C. §112, second paragraph; Claims 11, 15, and 17 were rejected under 35 U.S.C. §102(b) as anticipated by Moser et al. (U.S. Patent No. 3,735,811, hereinafter Moser); Claims 11, 15, 17, and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over Moser and Applicants' conceded prior art; and Claims 11, 15, and 17 were rejected under 35 U.S.C. §102(b) as anticipated by Momile (U.S. Patent No. 2,322,047).

With respect to the objection to the drawings for not showing every element of Claims 15 and 17, Applicants respectfully submit that this ground of objection is moot in view of the cancellation of Claims 15 and 17.

With respect to new Fig. 8A, it is unclear as to whether this figure was entered. Applicants would like to cancel this figure. Accordingly, the specification has been amended to remove references to Fig. 8A.

With respect to the rejection of Claim 17 under 35 U.S.C. §112, second paragraph, this ground of rejection is moot in view of the cancellation of Claim 17.

Applicants respectfully submit that the rejections of Claims 15 and 17 under 35 U.S.C. §§102 and/or 103 are moot in view of their cancellation.

Turning to the rejection of Claim 11 under 35 U.S.C. §102(b) as anticipated by Moser, Applicants respectfully submit that amended Claim 11 patentably distinguishes over Moser. Amended Claim 11 recites, *inter alia*,

a bypass conduit, arranged along an axis of and on a shell inner surface of said shell and positioned adjacent to the cooling water outlet, to guide the cooling water to a direction perpendicular to the flow of the cooling water through the inlet,

said bypass conduit including,

a bypass inlet formed at a position diametrically opposite to the cooling water inlet of the shell,

a bypass body extending axially of said shell through the bypass inlet, and

a bypass outlet extending via a bent portion into and positioned in the cooling water outlet.

Moser does not disclose or suggest at least the above-noted elements of Claim 11.

Claim 11 describes a bypass conduit that is adjacent to the cooling water outlet. The bypass conduit includes a bypass inlet, a bypass body, and bypass outlet.

Moser describes a bypass flow path that is **not** provided by a “bypass conduit” as described in amended Claim 11. The bypass flow path of Moser is different in position and structure.

The outstanding Office Action indicates that wall 2 of Moser equates to the claimed “shell,” and that collecting space 11 is a bypass flow path. However, there is no bypass conduit, arranged along an axis of and on a shell inner surface of wall 2 and positioned adjacent to the cooling water outlet, to guide the cooling water to a direction perpendicular to the flow of the cooling water through the inlet in Moser. As shown in Fig. 2 of Moser, partitions 7 and 7’ are provided, which cause water stagnation zones near partitions 7 and 7’.

Furthermore, there is no disclosure or suggestion that collecting space 11 includes “a bypass inlet formed at a position diametrically opposite to the cooling water inlet of the shell, a bypass body extending axially of said shell through the bypass inlet, and a bypass outlet extending via a bent portion into and positioned in the cooling water outlet.”

Thus, Applicants respectfully submit that amended Claim 11 patentably distinguishes over Moser. Claim 24 recite elements analogous to those of Claim 11. Thus, Applicants respectfully submit that Claim 24 patentably distinguishes over Moser, for at least the reasons stated for Claim 11.

Furthermore, Applicants’ admitted prior art does not cure the above-noted deficiencies in Moser. Applicants’ admitted prior art does not include a “bypass conduit” as described in amended Claims 11 and 24. Thus, Claims 11 and 24 patentably distinguish over the combination of Moser and Applicants’ admitted prior art.

Turning now to the rejection of 11 under 35 U.S.C. §102(b) as anticipated by Momile, Applicants respectfully submit that the amendment to Claim 11 overcomes this ground of rejection. Amended Claim 11 recites, *inter alia*,

said bypass conduit including,

a bypass inlet formed at a position
diametrically opposite to the cooling water inlet of
the shell [and]

a bypass outlet extending via a bent portion
into and positioned in the cooling water outlet.

Momile does not disclose or suggest at least these elements of Claim 11

The outstanding Office Action takes the position that elements 22, 50, 57, and 71 of Momile form a bypass path. However, Momile does not describe a bypass inlet that is formed at a position diametrically opposite to the cooling water inlet. The Office Action

indicates that element 28 is a water cooling inlet. However, element 28 of Momile is not diametrically opposite to elements 22, 50, 57, and/or 71 of Momile.

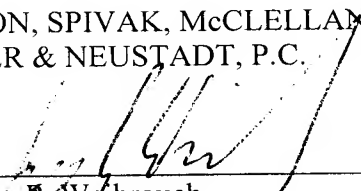
Furthermore, Momile does not describe a bypass conduit with a bypass outlet positioned within the cooling water outlet. The Office Action takes the position that the cooling water outlet is element 13 of Momile. However, elements 22, 50, 57, and/or 71 are not positioned within element 13.

Therefore, Momile does not disclose or suggest the above-noted elements of amended Claim 11.

Thus, Applicants respectfully submit that amended Claim 11 patentably distinguishes over Momile. Claim 24 recite elements analogous to those of Claim 11. Thus, Applicants respectfully submit that Claim 24 patentably distinguishes over Momile, for at least the reasons stated for Claim 11.

Respectfully submitted,

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